

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

KATHERINE BELCASTRO GONZALEZ,)

CASE NO. 8:19CV572

Plaintiff,)

v.)

**PLAINTIFF'S MOTION TO STRIKE
PORTIONS OF AFFIDAVIT**

CITY OF OMAHA, a Municipal)

Corporation, TODD SCHMADERER,)

Chief of Police of the Omaha Police)

Department, in his official and individual)

Capacity)

Defendants.)

COMES NOW the Plaintiff, by and through her attorneys, and hereby requests this Court to strike certain portions of the Affidavit of Thomas Shaffer (ECF Filing No. 157-1) as such portions are inadmissible hearsay under Rules 801 and 802 of the Federal Rules of Evidence:

1. That portion of Paragraph 5 of Thomas Shaffer Affidavit in which he stated "who made a comment about my testimony.";
2. All of Paragraph 6 of Thomas Shaffer Affidavit;
3. All of Paragraph 9 of Thomas Shaffer Affidavit; and
4. All of Paragraph 10 of Thomas Shaffer Affidavit.

WHEREFORE, the Plaintiff requests this Court for an Order striking the above portions of the Affidavit of Thomas Shaffer as such are inadmissible hearsay under Rules 801 and 802 of the Federal Rules of Evidence.

KATHERINE BELCASTRO-GONZALEZ,
Plaintiff

BY: s/Thomas M. White
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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on December 16, 2022, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which sent notification of such filing to Defendants' attorney, Michelle Peters, City of Omaha, 1819 Farnam Street, Suite 804, Omaha, NE 68183.

s/Thomas M. White
Thomas M. White